

NOTE: CHANGES MADE BY COURT

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TRENTON SMITH, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

JOHN SHAHIDI, an individual; NELK,
INC. dba NELK, FULL SEND, a
Canadian Company, METACARD,
LLC, a Delaware Limited Liability
Company; NELK USA, INC., a
Delaware Corporation; KYLE
FORGEARD, an individual,

Defendants.

Case No. 8:25-cv-00161-FWS-DFM

**ORDER RE JOINT STIPULATION
TO CONTINUE CASE SCHEDULE
FOR GOOD CAUSE [76]**

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Having reviewed and considered the Joint Stipulation to Continue Case Schedule for Good Cause [76] (“Stipulation”), between Plaintiff Trenton Smith, individually and on behalf of all others similarly situated, and Defendant John Shahidi, Defendant Nelk Inc., Defendant Metacard, LLC, Defendant Nelk USA, Inc., and Defendant Kyle Forgeard, the files and records of the case, the applicable law, the court **ORDERS** the court’s June 13, 2025, Operative Scheduling Order [67], **MODIFIED** to read as follows (with changes indicated by italics):¹

EVENT	DATE
Check one: <input checked="" type="checkbox"/> Jury Trial or <input type="checkbox"/> Bench Trial Tuesday at 8:00 a.m.	First Day: <i>1/12/2027</i>
Parties’ Estimated Trial Length	<i>4 days</i>
Final Pretrial Conference & Hearing on Motions in Limine Thursday at 8:30 a.m.	<i>12/10/2026</i>
Last Date to Hear Motion to Amend Pleadings /Add Parties Thursday	
Last Date to File Motion for Class Certification	<i>11/13/2025</i>
Last Date to File Opposition to Motion for Class Certification	<i>12/26/2025</i>
Last Date to File Reply in Support of Motion for Class Certification	<i>1/22/2025</i>
Last Date to Schedule In-Person Hearing on Motion for Class Certification Thursday at 10:00 a.m.	<i>3/5/2026</i>
Non-Expert Discovery Cut-Off	<i>6/10/2026</i>
Expert Disclosure (Initial)	<i>6/25/2026</i>
Expert Disclosure (Rebuttal)	<i>7/9/2026</i>
Expert Discovery Cut-Off	<i>7/23/2026</i>
Last Date to Hear Motions Thursday at 10:00 a.m.	<i>9/17/2026</i>

¹ This Order is now the Operative Scheduling Order in this case. *See Mediterranean Enters., Inc. v. Ssangyong Corp.*, 708 F.2d 1458, 1465 (9th Cir. 1983) (“The trial court possesses the inherent power to control its own docket and calendar.”).

1	• Motion for Summary Judgment (due at least 6 weeks before hearing)	
2	• All other motions (due at least 4 weeks before hearing)	
3	• Opposition (due 2 weeks after Motion is filed)	
4	• Reply (due 1 week after Opposition is filed)	
5	Deadline to Complete Settlement Conference [L.R. 16-15]	10/1/2026
6	[x] 1. Magistrate Judge (with Court approval)	
7	[] 2. Court's Mediation Panel	
8	[] 3. Private Mediation	
9	Trial Filings (first round)	11/12/2026
10	• Motions in Limine with Proposed Orders	
11	• Daubert Motions with Proposed Orders ²	
12	• Memoranda of Contentions of Fact and Law [L.R. 16-4]	
13	• Witness Lists [L.R. 16-5]	
14	• Joint Exhibit List [L.R. 16-6.1]	
15	• Joint Status Report Regarding Settlement	
16	• Proposed Findings of Fact and Conclusions of Law [L.R. 52]	
17	(bench trial only)	
18	• Declarations containing Direct Testimony, if ordered (bench trial only)	
19	• Affirmative Deposition Designation(s)	

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² *Daubert* motions and oppositions to *Daubert* motions shall not exceed ten (10) pages in length.

Trial Filings (second round) <ul style="list-style-type: none">• Oppositions to Motions in Limine• Oppositions to Daubert Motions³• Joint Proposed Final Pretrial Conference Order [L.R. 16-7]• Joint/Agreed Proposed Jury Instructions (jury trial only)• Disputed Proposed Jury Instructions (jury trial only)• Joint Proposed Verdict Forms (jury trial only)• Joint Proposed Statement of the Case (jury trial only)• Proposed Additional Voir Dire Questions, if any (jury trial only)• Evidentiary Objections to Declarations of Direct Testimony (bench trial only)• Objections and Counter Deposition Designation(s)	11/19/2026
• Objections to Counter Designation(s) and Counter-Counter Deposition Designation(s)	11/26/2026

IT IS SO ORDERED.

Dated: September 23, 2025



Hon. Fred W. Slaughter
UNITED STATES DISTRICT JUDGE

CC: ADR

³ Pursuant to this court's order on pretrial and trial procedures, the parties shall not file replies to the motions in limine. (*See* Dkt. 64 at 4 ("Unless the court determines otherwise, counsel shall not file any replies.")) In addition, unless the court determines otherwise, the parties shall not file replies to any *Daubert* motions.